

FORM PTO-1390 (REV 1-98)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER	
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371				3477/133 (201570)	
				U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)	
				09/601028	
INTERNATIONAL APPLICATION NO.		INTERNATIONAL FILING DATE		PRIORITY DATE CLAIMED	
PCT/CA/98/00046		January 29, 1998			
TITLE OF INVENTION					
"A Synthetic Biomaterial Compound"					
APPLICANT(S) FOR DO/EO/US					
Sydney M. Pugh, Timothy J.N. Smith, Michael Sayer, Sarah Dorthea Langstaff					
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:					
1.	<input checked="" type="checkbox"/>	This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.			
2.	<input type="checkbox"/>	This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.			
3.	<input checked="" type="checkbox"/>	This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(I).			
4.	<input checked="" type="checkbox"/>	A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.			
5.	<input checked="" type="checkbox"/>	A copy of the International Application as filed (35 U.S.C. 371(c)(2))			
	a.	<input checked="" type="checkbox"/>	is transmitted herewith (required only if not transmitted by the International Bureau).		
	b.	<input type="checkbox"/>	has been transmitted by the International Bureau.		
	c.	<input type="checkbox"/>	is not required, as the application was filed in the United States Receiving Office (RO/US).		
6.	<input type="checkbox"/>	A translation of the International Application into English (35 U.S.C. 371(c)(2)).			
7.	<input checked="" type="checkbox"/>	Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))			
	a.	<input type="checkbox"/>	are transmitted herewith (required only if not transmitted by the International Bureau).		
	b.	<input checked="" type="checkbox"/>	have been transmitted by the International Bureau.		
	c.	<input type="checkbox"/>	have not been made; however, the time limit for making such amendments has NOT expired.		
	d.	<input type="checkbox"/>	have not been made and will not be made.		
8.	<input type="checkbox"/>	A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).			
9.	<input type="checkbox"/>	An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).			
10.	<input type="checkbox"/>	A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).			
Items 11. To 16. Below concern other document(s) or information included:					
11.	<input type="checkbox"/>	An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.			
12.	<input checked="" type="checkbox"/>	An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.			
13.	<input checked="" type="checkbox"/>	A FIRST preliminary amendment.			
	<input type="checkbox"/>	A SECOND or SUBSEQUENT preliminary amendment.			
14.	<input type="checkbox"/>	A substitute specification.			
15.	<input type="checkbox"/>	A change of power of attorney and/or address letter.			
16.	<input checked="" type="checkbox"/>	Other items or information: Preliminary Examination Report, Written Opinion and Response to Written Opinion			

534 R PCT/PTO 26 JUL 2000

U.S. APPLICATION NO. (If known, see 37 CFR 1.501) <b>097601028</b>		INTERNATIONAL APPLICATION NO. .PCT/CA/98/00046		ATTORNEY'S DOCKET NUMBER 3477/133 (201570)			
17. <input checked="" type="checkbox"/> The following fees are submitted: <b>Basic National Fee (37 CFR 1.492(a)(1)-(5)):</b> Neither international preliminary examination fee (37 CFR 1.482) nor International search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO <b>\$970.00</b>  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO <b>\$840.00</b> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search (37 CFR 1.445(a)(2)) paid to USPTO <b>\$690.00</b> International preliminary examination fee (37 CFR 1.482) paid to USPTO <b>\$670.00</b> But all claims did not satisfy provisions of PCT Article 33(1)-(4) <b>\$96.00</b> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) <b>\$ 96.00</b>  <b>ENTER APPROPRIATE BASIC FEE AMOUNT = \$ 840.00</b>				CALCULATIONS		PTO USE ONLY	
				<b>\$ 840.00</b>			
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$			
CLAIMS		NUMBER FILED		NUMBER EXTRA		RATE	
Total Claims		52 -20 =		32		X \$18.00 \$ 576.00	
Independent Claims		7 - 3 =		4		X \$78.00 \$ 312.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$260.00		\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$1,728.00</b>			
Reduction by 1/2 for filing by small entity, if applicable. A Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).				\$			
<b>SUBTOTAL =</b>				<b>\$ 1,728.00</b>			
Processing fee of <b>\$130.00</b> for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$			
<b>TOTAL NATIONAL FEE =</b>				<b>\$ 1,728.00</b>			
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property +				\$			
<b>TOTAL FEES ENCLOSED =</b>				<b>\$ 1,728.00</b>			
				Amount to be Refunded		\$	
				Charged		\$	
a. <input checked="" type="checkbox"/> A check in the amount of \$1,728.00 to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. 16-0605 in the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 16-0605. A duplicate copy of this sheet is enclosed.							
Note: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.							
SEND ALL CORRESPONDENCE TO: Samuel G. Layton, Jr. <i>SG Layton</i>  SIGNATURE REGISTRATION NUMBER: 22,807 ALSTON & BIRD LLP Post Office Drawer 34009 Charlotte, NC 28234 Tel. Charlotte Office (704) 331-6000 Fax Charlotte Office (704) 334-2014 <b>Customer Number 000826</b>				"Express Mail" Mailing Label Number: EL287629565US Date of Deposit: July 26, 2000  I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to BOX PCT, Attn: DO/US (PTO) Assistant Commissioner for Patents, Washington, DC 20231. <i>Lorna Morehead</i> Lorna Morehead			

PTO FORM-1390 (REV 5-93)

CLT01/4434871v1

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Sydney M. Pugh; Timothy J.N. Smith, Michael Sayer; Sarah Dorteia Langstaff  
Appl. No.: 09/601,028 Group Art Unit: To Be Assigned  
Filed: July 26, 2000 Examiner: To Be Assigned  
For: "A Synthetic Biomaterial Compound"

September 18, 2000

ATTN: Refund Section, Accounting Division, Office of Finance  
Assistant Commissioner for Patents  
Washington, DC 20231

**REQUEST FOR REFUND**  
(37 C.F.R. 1.28(a))

Sir:

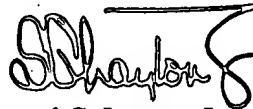
**SUBMISSION OF STATEMENT**

- ☒ Attached is a Statement Claiming Small Entity Status in this application.
- ☐ A Statement Claiming Small Entity Status was filed in this application on

**REFUND REQUEST AND MANNER OF REFUND**

This request for refund is made within two months of the date a fee was paid in this application on July 26, 2000 for filing fee (filing fee, issue fee, etc.), in the amount of \$1728.00. Please make refund by crediting ALSTON & BIRD LLP Deposit Account No. 16-0605.

Respectfully submitted,



Samuel G. Layton, Jr.  
Registration No. 22,807

**ALSTON & BIRD LLP**  
Post Office Drawer 34009  
Charlotte, NC 28234-4009  
Tel Charlotte Office (704) 331-6000  
Fax Charlotte Office (704) 334-2014

**CERTIFICATE OF MAILING**Express Mail mailing label number: EL618192259US

Date of Deposit: September 18, 2000

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Assistant Commissioner for Patents, Box PCT, Washington, DC 20231.

  
Lorna Morehead